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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,955	01/07/2002	Bror-Inge Helmfriðsson	000515-280	6247
21839	7590	03/02/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			TRUONG, LINH T	
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ALEXANDRIA, VA 22313-1404			PAPER NUMBER	
			3761	8
DATE MAILED: 03/02/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/019,955

Applicant(s)

HELMFRIDSSON ET AL.

Examiner

Linh T Truong

Art Unit

3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-13 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the bond site exhibiting a first extension and a second extension which is perpendicular to the first extension in claim 4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference numbers 307 and 308 mentioned in lines 5-9 of page 16 in the specification. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7-10, and 12-13 rejected under 35 U.S.C. 102(b) as being anticipated by Cree et al. (Cree) '5,591,149.

For claims 1, 7-10, and 12-13, Cree teaches an absorbent sanitary napkin that comprises a fluid pervious topsheet 28 that can be comprised of thermoplastic material or fibrous material (fig. 15 and col. 6, lines 18-24) and hydrophobic nonwoven material (col. 7, lines 10-11, 66-67 and col. 8, lines 11-13), fluid pervious acquisition layer 34, an absorbent core 32 and a fluid impervious backsheet 30 (col. 28, line 47), wherein the topsheet 28 and acquisition layer 34 are mutually connected by bond sites via the method of fusion bonding (col. 13, lines 39-54). The sanitary napkin has a longitudinal central portion with a first bond pattern 44a, wherein the first bond pattern is 18 bonds per square inch, and two side portions with second bond pattern 44b, wherein the second bond pattern is 25 bonds per square inch (col. 14, lines 31-35 and 62-65). The percentage of bonded areas in the side portions is greater than the percentage of bonded area in the central portion (fig. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cree et al. (Cree) '5,591,149 in view of Lee et al. (Lee) '3,924,626.

For claim 6, Cree teaches bond sites but does not specifically teach spot bonds. Spot bonds are common in the art for fusing two layers of material together. Lee teaches a diaper with a cover sheet bonded by spot bonds 47 to its underlying pad (fig. 1, col.2, lines 59-66). Therefore it is obvious to one with ordinary skill in the art at the time the invention was made to provide the invention of Cree with spot bonds for an alternative bonding method for fusion two layers together.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cree et al. (Cree) '5,591,149 in view of Sawaki et al. (Sawaki) '5,954,705.

For claim 11, Cree teaches a sanitary pad with side portions but does not teach the specific width of the side portions. It is common in the art to have side portions with a specific widths for different properties. Sawaki teaches a sanitary pad with a central portion 36 and side portions 38 that can have widths between 2 to 50 mm (fig. 1 and col. 3, lines 20-23). Therefore it is obvious to one with ordinary skill in the art at the time the invention was made to provide the invention of Cree with side portions that are at least 4mm for a sanitary pad with side portions that are big enough to collect body fluids efficiently.

Allowable Subject Matter

Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

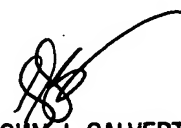
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. patents 5,681,300 and 6,103,953 are both drawn to an absorbent article with a first bonding pattern in the central portion and a second bonding pattern in the side portions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh Truong whose telephone number is 703-605-4974. The examiner can normally be reached on Mondays to Fridays from 8:30am-5:30pm.

Linh Truong

L.T.


JOHN J. CALVERT
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